

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**United States of America,**

Plaintiff,

v.

**Albert Rossini,**

Defendant.

**No. 17 CR 522**

Judge John J. Tharp

**Motion to Reset Sentencing**

Defendant, Albert Rossini, by and through undersigned counsel, respectfully requests the court strike the sentencing hearing, which is currently scheduled for April 23, 2025.

Mr. Rossini was convicted on all counts in the above-captioned case after a jury trial in July 2023. Post-trial motions were denied in June 2024 [195]. As the Court is aware, Rossini has requested and been granted several previous continuances of the sentencing hearing due to (1) an upcoming tax trial in this district, and (2) concerns about ensuring continuity of medical care for his heart condition.

The pending tax trial is no longer an impediment to sentencing. The government has indicated in that case that it cannot be ready for trial until 2026 due to the need for additional discovery.

Rossini's medical care, however, continues to be a concern. Rossini is classified as Care Level 3, which is for inmates who "are outpatients who have complex, and usually chronic, medical or mental health conditions and who require frequent clinical contacts to maintain control or stability of their condition, or to prevent hospitalization or complications." Federal Bureau of Prisons Clinical Practice Guidance, at 3 (May 2019). For context, Rossini's heart is entirely dependent on a

pacemaker implanted in his chest. According to medical records reviewed by defense counsel, as of December 3, 2024, Rossini's pacemaker had 20 months of longevity left. Rossini reports that, according to his cardiologist at Northwestern Medicine, pacemaker batteries may fail at any time in the last 12 months of their battery life. Consequently, Rossini has an appointment scheduled for early June at which his cardiologist will determine when to schedule him for surgery to replace the pacemaker. Once surgery has been scheduled, Rossini will be placed on a medical hold at MCC to ensure continuity of his medical care.

After Rossini is placed on medical hold at MCC his concerns about being sent to a BOP facility will be allayed. A medical hold will ensure that he is not transferred from MCC to a BOP facility after sentencing in this case, unlike his codefendant in Case No. 1:15-cr-515, Babajan Khoshabe, who was being treated for stomach cancer when he was transferred to the BOP system in June 2022. Khoshabe was sent to FMC Butner but died not long after, in January 2023. *See* [919], *United States v. Rossini, et al.*, No. 1:15-cr-515 (N.D. Ill.) (Chang, J.) ("MINUTE entry before the Honorable Edmond E. Chang as to Babajan Khoshabe: With regard to Defendant Babajan Khoshabe, in light of the order and mandate of the Seventh Circuit, R. 916, 917, and given the death of this Defendant during the pendency of the direct appeal, the indictment as to this Defendant is dismissed.").

Rossini recognizes that this case has been pending for an unusually long period of time. However, Rossini's request that the Court accommodate his continued medical treatment in Chicago is largely driven by the fear that he will suffer the same fate as Khoshabe if he is prematurely transferred to a BOP facility.

Further, Rossini is currently serving a 132-month sentence for his conviction in No. 1:15-cr-515 and is therefore not in danger of overserving any additional sentence in this case.

Consequently, Rossini requests that the Court reset the sentencing hearing in this case to mid-June to allow for continuity of Rossini's medical care.

Respectfully Submitted,

/s/ James G. Vanzant

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